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Counsel for Defendant DOYLE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 08-00021 CW
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CONTINUING TRIAL
)	SETTING DATE AND EXCLUSION
)	OF TIME
ROBERT DOYLE,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date or trial setting date in this case, currently scheduled for Wednesday, April 30, 2008, before Honorable Claudia Wilken, may be continued to Wednesday, May 28, 2008, at 2:30 p.m. for status or trial setting. Defense counsel has requested additional discovery from the government which has not yet been received. In addition, defense counsel is continuing with its investigation which may impact the resolution of this case. Should the Court continue the court date by four weeks, it should allow the defense time to receive the outstanding discovery and determine whether additional motions based upon the discovery should be brought. It will also allow the parties time to try and resolve the

1 case. The parties stipulate that the time from April 30, 2008, to May 28, 2008, should be excluded
2 in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv)
3 for adequate preparation of counsel so that counsel can receive any outstanding discovery, continue
4 with its investigation and discuss with the government a possible resolution of the case.

5 DATED: April 29, 2008

6 /S/
JOYCE LEAVITT
7 Assistant Federal Public Defender

8 DATED: April 29, 2008

9 /S/
THOMAS MOORE
Assistant United States Attorney

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11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
12 "conformed" signature (/S/) within this e-filed document.

13
14 **ORDER**

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status or trial setting date
16 in this case, currently scheduled for Wednesday, April 30, 2008, before Honorable Claudia Wilken,
17 may be continued to Wednesday, May 28, 2008, at 2:30 p.m. for status or trial setting.

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19 IT IS FURTHER ORDERED that the time from April 30, 2008, to May 28, 2008, should be
20 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and
21 (B)(iv) for adequate preparation of counsel so that counsel can receive the requested discovery and
22 continue with its investigation. The Court finds that the ends of justice served by the granting of the
23 continuance outweigh the best interests of the public and the defendant in a speedy and public trial

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1 and the failure to grant the requested continuance would unreasonably deny counsel the reasonable
2 time necessary for effective preparation, taking into account due diligence.

3 SO ORDERED.

4 DATED:

5 HONORABLE CLAUDIA WILKEN
6 United States District Judge
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